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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,110	07/25/2003	Harry Michael Schell	9400-31	3761
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MYERS BIGEL SIBLEY & SAJOVEC, P.A. P.O. BOX 37428 RALEIGH, NC 27627				
			EXAMINER RIES, LAURIE ANNE	
			ART UNIT 2176	PAPER NUMBER

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/627,110	<b>Applicant(s)</b> SCHELL, HARRY MICHAEL	
	<b>Examiner</b> Laurie Ries	<b>Art Unit</b> 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2-10 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-10 and 12-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: Request for Continued Examination, filed 30 June 2006, to the original application filed 25 July 2003.
2. The rejection of claims 1-4, 6-14, and 16-20 under 35 U.S.C. 103(a) as being unpatentable over Berard (U.S. Patent 6,906,817 B1) in view of Grigonis ("The Many Faces of Fax Personalities") has been withdrawn as necessitated by amendment.
3. The rejection of claims 5, 15, and 21 under 35 U.S.C. 103(a) as being unpatentable over Berard (U.S. Patent 6,906,817 B1) in view of Grigonis ("The Many Faces of Fax Personalities"), and Luo ("Content Management on Server Farm with Layer-7 Routing") has been withdrawn as necessitated by amendment.
4. Claims 2-10 and 12-21 are pending. Applicant has canceled claims 1 and 11. Claims 6, 16, and 21 are independent claims.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4, 6-7, 12-14, and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1).

**As per independent claims 6 and 16**, Tanaka discloses a computer program product and a method of routing print files in a computer system including evaluating content of at least one print file (See Tanaka, Page 3, paragraph 0040), where the print file is configured by an application for printing on a printer device (See Tanaka, Page 3, paragraph 0040), and selectively routing the print file based on the evaluated content of the print file to a non-printer device instead of to a printer device in response to the evaluated content of the print file (See Tanaka, Figure 6, and Pages 3-4, paragraph 0045).

Tanaka does not disclose expressly that the evaluation is based on a routing policy; however, Tanaka does disclose that the routing is based on information derived from a distribution route service database.

It would have been obvious to one of ordinary skill in the art at the time of the invention to conclude that the information contained in the distribution route service database comprises a routing policy. The motivation for storing the routing policy

information in a distribution route service database would be to allow for subsequent invoicing based on the content of the print order and the distribution route information (See Tanaka, Page 3, paragraph 0040). Therefore, it would have been obvious to conclude that the information contained in the distribution route service database comprises a routing policy for the benefit of allowing for subsequent invoicing based on the content of the print order and the distribution route as stored in the distribution route service database to obtain the invention as specified in claims 6 and 16.

**As per dependent claims 2 and 12**, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses searching the content of the print file for one or more keywords that are defined by the routing policy (See Tanaka, Pages 3-4, paragraph 0045).

**As per dependent claims 3 and 13**, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses comparing the content of the print file to one or more data structures that are defined by the routing policy (See Tanaka, Page 3, paragraph 0040).

**As per dependent claims 4 and 14**, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses evaluating content based on setting files (See Tanaka, Page 3, paragraph 0040). Tanaka does not disclose expressly that the settings are contained in an INI file, however, it is well known in the art that an INI file contains system configuration or setting information (See definition of INI file, Microsoft Computer Dictionary, Fifth Edition, Page 273).

**As per claims 7 and 17**, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses posting the print file on a Web page (See Tanaka, Page 3, paragraph 0042, Pages 3-4, paragraph 0045, and Figure 7).

6. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 5 and 16 above, and further in view of Madison (U.S. Publication 2004/0083273 A1).

**As per dependent claims 5 and 15**, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka does not disclose expressly renaming the print file based on the content of the print file and the routing policy. Madison discloses renaming a file based upon the data within the file, such as XML data indicating a successful or unsuccessful file upload, and a routing policy, such as the value of the XML data updated according to the result of the upload attempt (See Madison, Page 8, paragraphs 0085-0088). Tanaka and Madison are analogous art because they are from the same field of endeavor of managing electronic data. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the renaming of a file of Madison with the file routing system and method of Tanaka. The motivation for doing so would have been to allow a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data (See Madison, Page 8, paragraph 0088). Therefore, it would have been obvious to combine Madison with Tanaka for the benefit of allowing a user to determine

whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data to obtain the invention as specified in claims 5 and 15.

7. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 6 and 16 above, and further in view of Digate (U.S. Publication 2004/0161080 A1).

**As per dependent claims 8 and 18**, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka does not disclose expressly emailing the file to one or more users on a computer network based on the content of the print file and the routing policy. Digate discloses a rules based messaging system including emailing data based on various defined rules (See Digate, Page 1, paragraph 0012). Tanaka and Digate are analogous art because they are from the same field of endeavor of distributing electronic information. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the emailing of data of Digate with the routing policy of Tanaka. The motivation for doing so would have been to control the distribution of the data (See Digate, Page 1, paragraph 0013). Therefore, it would have been obvious to combine Digate with Tanaka for the benefit of controlling the distribution of data to obtain the invention as specified in claims 8 and 18.

8. Claims 9-10 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 6 and 16 above, and further in view of Berard (U.S. Patent 6,906,817 B1).

**As per dependent claims 9-10 and 19-20**, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka does not disclose expressly importing information from the print file into a spreadsheet application, a word processor application, and/or a database application, and transferring information from the print file to known fields in a report defined by the routing policy. Berard discloses sending information from the print file to a database application (See Berard, Column 8, lines 31-35). It is well known in the art that "importing information" is equivalent to sending information, or bringing information from one application or program to another (See Microsoft Computer Dictionary, Fifth Edition, definition of "import"). Berard also discloses rules that extract data such as a telephone number or email address from the file to known fields within the receiving application as defined by the routing policy (See Berard, Column 6, lines 40-47 and lines 50-67). Tanaka and Berard are analogous art because they are from the same field of endeavor of managing electronic data for delivery. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the transfer of information to a database application and the transfer of information from the file to known fields in a report of Berard with the routing system and method of Tanaka. The motivation for doing so would have been to associated the inputted file with one of a number of previously defined documents or document types (See Berard, Column 6, lines 48-50). Therefore, it would have been obvious to combine

Berard with Tanaka for the benefit of associating the inputted file with one of a number of previously defined documents or document types to obtain the invention as specified in claims 9-10 and 19-20.

9. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berard (U.S. Patent 6,906,817 B1) in view of Tanaka (U.S. Publication 2004/0001223 A1) and Madison (U.S. Publication 2004/0083273 A1).

**As per independent claim 21**, Berard discloses a method of routing print files in a computer system including a print file configured by an application for printing on a printer device (See Berard, Column 6, lines 40-47 and lines 50-58, Column 7, lines 58-67, and Column 9, lines 1-9). Berard also discloses sending information from the print file to a database application instead of routing the print file to a printing device (See Berard, Column 8, lines 31-35).

Berard does not disclose expressly searching the content of the file to identify one or more keywords that are defined by a routing policy or selectively renaming the file based on the identified keywords.

Tanaka discloses searching the content of a file to identify keywords defining a routing policy for the file (See Tanaka, Page 3, paragraph 0040).

Madison discloses renaming a file based upon the data within the file, such as XML data indicating a successful or unsuccessful file upload, and a routing policy, such

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as the value of the XML data updated according to the result of the upload attempt (See Madison, Page 8, paragraphs 0085-0088).

Berard, Tanaka, and Madison are analogous art because they are from the same field of endeavor of managing electronic data.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the keyword search of Tanaka with the routing method of Berard. The motivation for doing so would have been to determine and display the distribution route services and the privilege services to a user (See Tanaka, Page 3, paragraph 0040).

At the time of the invention it would also have been obvious to one of ordinary skill in the art to include the renaming of a file of Madison with the file routing system and method of Tanaka. The motivation for doing so would have been to allow a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data (See Madison, Page 8, paragraph 0088).

Therefore, it would have been obvious to combine Tanaka and Madison with Berard for the benefit of determining and displaying the distribution route services and the privilege services to a user and allowing a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data to obtain the invention as specified in claim 21.

***Response to Arguments***

10. Applicant's arguments with respect to claims 2-10 and 12-21 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Hoover (U.S. Publication 2003/0137690 A1) discloses a system and method for mobile printing from a desktop operating system using a portable computing device.
- Aldridge (U.S. Publication 2004/0030921 A1) discloses secure data delivery.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR

*William G. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**